

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

CCO-048

No. 21-3337

Eduardo Rosario

v.

Alex Torres Productions Inc.;
LA Guira, Inc., d/b/a Red Wine Restaurant

Keith Altman; Joseph Lento; Joan Feinstein;
The Lento Law Group*,
Appellants

*Pursuant to Fed. R. App. P. 12(a)

(E.D. Pa. No. 2-20-cv-02966)

Present: SHWARTZ, MATEY and PHIPPS, *Circuit Judges*

1. Clerk's Submission for Possible Dismissal due to Jurisdictional Defect
2. Motion for Certificate of Appealability

Respectfully,
Clerk/sb

ORDER

This appeal challenges the District Court’s interlocutory order sanctioning three attorneys and a law firm by disqualifying them from representing the plaintiff, revoking one attorney’s pro-hac-vice admission, and referring the attorneys’ conduct to the state attorney-discipline authorities. Because no part of the sanctions order is appealable before a final judgment, the appeal is DISMISSED for lack of appellate jurisdiction. *See Richardson-Merrell, Inc., v. Koller*, 472 U.S. 424, 429–41 (1985) (disqualification and revocation of pro-hac-vice admission held unappealable); *Comuso v. Nat’l R.R. Passenger Corp.*, 267 F.3d 331, 336–39 (3d Cir. 2001) (disqualification and sanctions, including disciplinary referral, held unappealable); *see also Cunningham v. Hamilton Cnty.*, 527 U.S. 198, 203–04 (1999). The pending motion for a “certificate of appealability,” which argues for appellate jurisdiction and reversal, is DENIED.

By the Court,

s/ Paul B. Matey
Circuit Judge

Dated: March 17, 2023
Sb/cc: Eduardo Rosario
All Counsel of Record



A True Copy:

Patricia A. Dodszeit

Patricia S. Dodszeit, Clerk
Certified Order Issued in Lieu of Mandate